



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MRG/SMS/SP
F. #2021R00498

271 Cadman Plaza East
Brooklyn, New York 11201

May 15, 2024

By E-Mail and ECF

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Re: United States v. Xu, et al.
Criminal Docket No. 22-158 (S-1) (ENV)

Dear Counsel:

The government writes to provide defense counsel with certain prior statements made by witnesses that may be called to testify at trial in the above-captioned matter. This production constitutes material within the scope of Title 18, United States Code, Section 3500, which is not otherwise required to be disclosed until October 7, 2024, at the earliest, pursuant to the Court's pre-trial scheduling order entered April 11, 2024. In addition, this production does not represent all prior statements made by every witness that may testify at trial. Rather, it is an early production of certain witness statements that the government is disclosing well in advance of trial as a courtesy to defense counsel and to aid in trial preparation.

The enclosed material constitutes "Attorney's Eyes Only" as that term is defined in the protective order entered in this case. The government will remove such designations closer to trial and consistent with the scheduling order.

Please contact DupeCoop at dupecoop@mac.com and reference the above-captioned case to obtain a copy of the material referenced herein.

Enclosed please find the following:

Bates Range	Description	Protective Order Designation
3500 Materials related to January 8, 2020 Assault in Beaverton, Oregon (Jane Doe #2)¹		
XU-000001-XU-000011 ²	FBI 302 regarding victim interview on October 20, 2021	AEO
XU-000012-XU-000023	FBI notes regarding victim interview on October 20, 2021	AEO
XU-000024-XU-000047	FBI notes regarding victim interview on October 20, 2021	AEO
XU-000048-XU-000056	Images provided by victim during interview on October 20, 2021	AEO
XU-000057-XU-000087	Photobook shown to victim during interview on October 20, 2021	AEO
XU-000088-XU-000118	Beaverton Police Department Reports	AEO
XU-000119-XU-000137	FBI 302 regarding incident response and victim interviews on January 9, 2020, December 4, 2020 and December 10, 2020 ³	AEO
XU-002768-XU-002792	Text messages exchanged by victim and FBI	AEO
XU-002793-XU-002853	Medical records from Providence St. Vincent's Medical Center	AEO

¹ This index includes all 3500 material produced on February 29, 2024 and May 15, 2024. Items in bold have been corrected or added since the February 29, 2024 production.

² Each copy of these materials issued to each defendant is stamped with Bates prefixes specific to that defendant. For example, defendant Xu's set is marked "XU-" and defendant Siyang Chen's set is marked "SYCHEN-". All defendants will receive the same set of materials attached herewith.

³ This FBI 302 includes information regarding other assaults, including, for example, the assaults on July 5, 2020, November 5, 2020 and November 25, 2020.

Bates Range	Description	Protective Order Designation
XU-007517	Washington County Grand Jury testimony⁴	AEO
XU-007519	FBI notes regarding victim interview on April 1, 2024	AEO
3500 Materials related to March 20, 2020 Assault in Overland Park, Kansas (Jane Doe #3)		
XU-000138-XU-000149	FBI 302 regarding victim interview on October 21, 2021	AEO
XU-000150-XU-000158	FBI notes regarding victim interview on October 21, 2021	AEO
XU-000159-XU-000180	FBI notes regarding victim interview on October 21, 2021	AEO
XU-000181-XU-000201	Images provided by victim during interview on October 21, 2021	AEO
XU-000202-XU-000232	Photobook shown to victim during interview on October 21, 2021	AEO
XU-000233	Cover file regarding video file of victim's message exchange with bosses	AEO
XU-000234	Audio recording of interview of victim on March 22, 2020	AEO
XU-000235-XU-000246	Overland Park Police Department Reports	AEO
XU-000247	Handwritten letter found in victim's hotel room	AEO
XU-002854-XU-002960	Text messages exchanged by victim and FBI	AEO
XU-002961-XU-002963	Videos of messages provided by victim during interview on October 21, 2021	AEO

⁴

The instructions for listening to the audio recordings are included in the zip file.

Bates Range	Description	Protective Order Designation
3500 Materials related to July 5, 2020 Assault in Beaverton, Oregon (Jane Doe #12)		
XU-000248-XU-000274	Beaverton Police Department Reports	AEO
XU-002964-XU-003021	Medical records from Providence St. Vincent Medical Center	AEO
XU-003022-XU-003023	Body worn camera footage	AEO
3500 Materials related to September 15, 2020 Assault in Centreville, Virginia (Jane Doe #13)		
XU-000275	FBI notes regarding victim interview on August 16, 2022	AEO
XU-000276-XU-000277	FBI 302 regarding victim interview on August 16, 2022	AEO
XU-000278-XU-000285	Fairfax County Police Department Reports	AEO
3500 Materials related to October 9, 2020 Assault in Omaha, Nebraska (Jane Doe #4)		
XU-000286-XU-000297	FBI notes regarding victim interview on November 19, 2021	AEO
XU-000298-XU-000328	Photobook shown to victim	AEO
XU-000329-XU-000339	FBI 302 regarding victim interview on November 19, 2021	AEO
XU-000340-XU-000392	Omaha Police Department Reports	AEO
XU-003024	Audio recording of victim interview on January 11, 2021	AEO
XU-003025- XU-003026	Body worn camera footage	AEO
XU-003027-XU-003036	Text messages exchanged by victim and Officer Alan Reyes	AEO
XU-003037-XU-003068	Medical records from Creighton University Medical Center	AEO

Bates Range	Description	Protective Order Designation
XU-003069-XU-003088	Text messages exchanged by victim and FBI	AEO
3500 Materials related to October 26, 2020 Assault in Omaha, Nebraska (Jane Doe #11)		
XU-003089-XU-003093	FBI 302 regarding victim interview on June 23, 2022	AEO
XU-003094-XU-003099	FBI notes regarding victim interview on June 23, 2022	AEO
XU-003100-XU-003110	FBI 302 regarding victim interview on January 13, 2023	AEO
XU-003111-XU-003133	FBI notes regarding victim interview on January 13, 2023	AEO
XU-003134-XU-003151	Photos shown to witness during interview on January 13, 2023	AEO
XU-003152-XU-003215	Text messages exchanged by victim and FBI	AEO
XU-003216-XU-003229	Photos of content on phone provided by victim during interview on January 13, 2023	AEO
XU-003230- XU-003233	Videos of messages provided by victim during interview on January 13, 2023	AEO
3500 Materials related to November 5, 2020 Assault at 9520 NE Sandy Blvd, Portland, Oregon (Jane Doe #5)		
XU-000393-XU-000419	Portland Police Bureau Reports	AEO
XU-000420-XU-000431	FBI notes regarding victim interview on December 1, 2021	AEO
XU-000432-XU-000444	Images provided by victim during interview on December 1, 2021	AEO
XU-000445-XU-000456	FBI 302 regarding victim interview on December 1, 2021	AEO

Bates Range	Description	Protective Order Designation
XU-003234-XU-003271	Photos shown to victim during December 1, 2021 interview	AEO
XU-003272-XU-003274	United States Marshals Service Field Report	AEO
XU-003275-XU-003286	Text messages and Google translation of messages exchanged by victim and another individual	AEO
XU-003287-XU-003349	Medical records from Legacy Emanuel Medical Center	AEO
XU-003350	Multnomah County Grand Jury testimony	AEO
XU-003351-XU-003386	Transcript of Multnomah County Grand Jury testimony	AEO
XU-003387	Text messages exchanged by victim and FBI	AEO
XU-003388	Videos sent by victim to FBI	AEO
3500 Materials related to November 5, 2020 Assault at 9727 NE Sandy Blvd, Portland, Oregon (Jane Doe #6)		
XU-000457-XU-000478	Portland Police Bureau Reports	AEO
XU-000479-XU-000489	FBI notes regarding victim interview on November 30, 2021	AEO
XU-000490-XU-000501	Images provided by victim during interview on November 30, 2021	AEO
XU-000502-XU-000533	Photobook shown to victim during interview on November 30, 2021	AEO
XU-000534-XU-000546 ⁵	FBI 302 regarding victim interview on November 30, 2021	AEO

⁵

XU-000547- XU-001365 are intentionally skipped.

Bates Range	Description	Protective Order Designation
XU-003389-XU-004676	Medical records from Legacy Emanuel Medical Center	AEO
XU-004677-XU-005556	Medical records from Avamere Rehabilitation of Clackamas	AEO
XU-005557	Multnomah County Grand Jury testimony	AEO
XU-005558-XU-005570	Transcript of Multnomah County Grand Jury testimony	AEO
XU-005571-XU-005582	Text messages exchanged by victim and FBI	AEO
3500 Materials related to November 16, 2020 Assault in Overland Park, Kansas (Jane Doe #7)		
XU-001366-XU-001370	FBI notes regarding victim interview January 6, 2022	AEO
XU-001371-XU-001374	Photographs taken during interview on January 6, 2022	AEO
XU-001375-XU-001409	Photobook shown to victim during interview on January 6, 2022	AEO
XU-001410-XU-001418	FBI 302 regarding victim interview on January 6, 2022	AEO
XU-001419-XU-001447	Overland Park Police Department Reports	AEO
XU-001448	Audio recording of victim interview on November 16, 2020	AEO
XU-005583	Body worn camera footage	AEO
XU-005584-XU-005794	Medical records from Overland Park Regional Medical Center	AEO
3500 Materials related to November 24, 2020 Assault in Southfield, Michigan (Jane Doe #8)		
XU-001449-XU-001490	Southfield Police Department Reports	AEO

Bates Range	Description	Protective Order Designation
XU-001491-XU-001492	FBI notes regarding victim interview on December 6, 2021	AEO
XU-001493-XU-001494	FBI 302 regarding victim interview on December 6, 2021	AEO
XU-001495-XU-001496	Body-worn camera video recordings of victim interview on November 25, 2020	AEO
XU-005795-XU-005800	Body worn camera footage	AEO
XU-005801-XU-006309	Medical records from Ascension Providence Hospital	AEO
3500 Materials related to November 25, 2020 Assault in Beaverton, Oregon (Jane Doe #1)		
XU-001497-XU-001517	Beaverton Police Department Reports	AEO
XU-001518-XU-001529	FBI 302 regarding victim interview on December 3, 2021	AEO
XU-001530-XU-001536	FBI notes regarding victim interview on December 3, 2021	AEO
XU-001537	Zip file containing WeChat messages and audio message shown to victim during interview on December 3, 2021	AEO
XU-001538-XU-001575	Photobook shown to victim during interview on December 3, 2021	AEO
XU-001576	Cover report relating to video attachment at XU-001537	AEO
XU-001577-XU-001585	Images provided by victim during interview on December 3, 2021	AEO
XU-006310-XU-006312	Body worn camera footage	AEO
XU-006313-XU-007025	Medical records from Oregon Health and Science University Hospital	AEO
XU-007026-XU-007036	Text messages exchanged by victim and FBI	AEO

Bates Range	Description	Protective Order Designation
XU-007518	Washington County Grand Jury testimony	AEO
3500 Materials related to December 6, 2020 Assault in Southfield, Michigan (Jane Doe #9)		
XU-001589-XU-001659	Southfield Police Department Reports	AEO
XU-001660-XU-001662	FBI 302 regarding victim interview on December 7, 2020	AEO
XU-001663-XU-001666	FBI notes regarding victim interview on December 7, 2020	AEO
XU-001667-XU-001668	FBI 302 regarding victim interview on December 7, 2020	AEO
XU-001669-XU-001674	Photographs provided by victim during the December 7, 2020 interview	AEO
XU-001675-XU-001680	FBI notes regarding victim interview on December 7, 2020	AEO
XU-001681-XU-001685	FBI 302 regarding victim interview on January 12, 2021	AEO
XU-001686	Cover file regarding interview notes and audio recording of interview of victim on January 12, 2021	AEO
XU-007507-XU-007508	Audio recording of victim interview on January 12, 2021	AEO
XU-007509-XU-007516	FBI notes regarding victim interview on January 12, 2021	AEO
XU-001687-XU-001709	FBI notes regarding victim interview on November 8, 2021	AEO
XU-001710-XU-001740	Photobook shown to victim during interview on November 8, 2021	AEO
XU-001741-XU-001752	FBI 302 regarding victim interview on November 8, 2021	AEO

Bates Range	Description	Protective Order Designation
XU-007037	Body worn camera footage	AEO
XU-007038-XU-007122	Medical records from Ascension Providence Hospital	AEO
XU-007123-XU-007145	Text messages exchanged by victim and FBI	AEO
3500 Materials related to April 22, 2021 assault in Overland Park, Kansas (Jane Doe #14)		
XU-007146-XU-007146	FBI 302 regarding victim interview on July 25, 2022	AEO
XU-007147-XU-007153	FBI 302 regarding victim interview on August 4, 2022	AEO
XU-007154-XU-007181	Photos shown to victim during interview on August 4, 2022	AEO
XU-007188-XU-007192	FBI notes regarding victim interview on August 4, 2022	AEO
XU-007182-XU-007187	Photos provided by victim during interview on August 4, 2022	AEO
XU-007193-XU-007200	Text messages exchanged by victim and FBI	AEO
3500 Materials related to May 4, 2021 assault in Manchester, New Hampshire (Jane Doe #15)		
XU-007201-XU-007217	Manchester NH Police Department reports	AEO
XU-007218	Body worn camera footage	AEO
XU-007219-XU-007244	Medical records from Weimin Medical PC	AEO
XU-007245-XU-007250	FBI 302 regarding victim interview on July 25, 2022	AEO
XU-007251-XU-007278	Photobook shown to witness during interview on July 25, 2022	AEO

Bates Range	Description	Protective Order Designation
XU-007290-XU-007296	FBI notes regarding victim interview on July 25, 2022	AEO
XU-007279-XU-007289	Photos provided by victim during interview on July 25, 2022	AEO
XU-007297-XU-007297	FBI 302 regarding text messages sent by victim to FBI	AEO
XU-007298-XU-007298	Text messages sent by victim to FBI	AEO
XU-007299-XU-007317	Text messages exchanged by victim and FBI	AEO
3500 Materials related to May 25, 2021 assault in Overland Park, Kansas (Jane Doe #10)		
XU-007318-XU-007332	Overland Park Police Department reports	AEO
XU-007333-XU-007334	Body worn camera footage	AEO
XU-007335-XU-007336	Audio recording of victim interview on May 25, 2021	AEO
XU-007337-XU-007337	Text messages exchanged by victim and Task Force Officer Derrick Wilczek	AEO
XU-007338-XU-007351	FBI 302 regarding victim interview on June 4, 2021	AEO
XU-007352-XU-007353; XU-007384-XU-007387	Photos shown to witness during interview on June 4, 2021	AEO
XU-007354-XU-007381	FBI notes regarding victim interview on June 4, 2021	AEO
XU-007382-XU-007383	Photos provided by victim	AEO
XU-007388-XU-007399	FBI 302 regarding victim interview on November 17, 2021	AEO
XU-007400-XU-007430	Photobook shown to victim during interview on November 17, 2021	AEO

Bates Range	Description	Protective Order Designation
XU-007431-XU-007440	FBI notes regarding victim interview on November 17, 2021	AEO
XU-007441-XU-007448⁶	Photos provided by victim during interview on November 17, 2021	AEO
XU-007451-XU-007452	Device search consent form signed by victim	AEO
XU-007453-XU-007490	Text messages exchanged by victim and FBI	AEO
3500 Materials related to July 25, 2021 assault in Overland Park, Kansas (Jane Doe #16)		
XU-007491-XU-007492	FBI 302 regarding victim interview on August 26, 2022	AEO
XU-007493-XU-007493	FBI notes regarding victim interview on August 26, 2022	AEO
XU-007494-XU-007496	Attachments to FBI 302 regarding victim interview on August 26, 2022	AEO
3500 Materials related to September 1, 2021 assault in Overland Park, Kansas (Jane Doe #17)		
XU-007497-XU-007497	911 call report	AEO
XU-007498-XU-007499	Body worn camera footage	AEO
XU-007500-XU-007506	Overland Park Police Department reports	AEO

In addition, XU-001588 is an FBI 302 regarding various consents provided by assault victims.

⁶

XU-007441-XU-007448 is intentionally omitted.

If you have any questions regarding this material or would like to discuss a disposition of this matter, please do not hesitate to contact us.

Very truly yours,

BREON PEACE
United States Attorney

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Enclosures

cc: Clerk of the Court (ENV) (by ECF) (without enclosures)
Counsel for the Defendants (by Email and ECF)